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PTO/SB/21 (05-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/936,956	
		Filing Date	December 17, 2001	
		First Named Inventor	JACKSON, STEPHEN PHILIP	
		Group Art Unit	1636	
		Examiner Name	McKELVEY, TERRY ALAN	
Total Number of Pages in This Submission		6	Attorney Docket Number	MEWE-014
ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): postcard
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Date	August 27, 2004			

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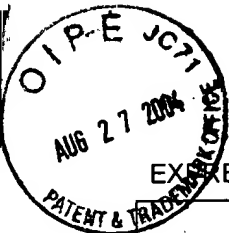
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Atty. Docket No.	Serial Number	Description	Atty.	Fee
SMAR-036	10/825,858	Transmittal, Fee Sheet <i>in duplicate</i> , Copy of Notice to File Missing Parts, Supplemental ADS, Preliminary Amendment, Preliminary Amendment, Executed Declaration	CLF	\$612
GTIN-004	10/081,969	Supplemental Response to Office Action	PJS	
MEWE-014	09/936,956	Transmittal, Petition for a 1 Month Extension of Time <i>in duplicate</i> , Restriction Election	PJS	\$110



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RESTRICTION ELECTION

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Attorney Docket No.	MEWE-014
Confirmation No.	2902
First Named Inventor	JACKSON, STEPHEN PHILIP
Application Number	09/936,956
Filing Date	December 17, 2001
Group Art Unit	1636
Examiner Name	McKELVEY, TERRY ALAN
Title:	"ASSAYS, METHODS AND MEANS"

Sir:

This amendment is responsive to the Office Action dated July 1, 2004 for which a one-month period for response was given.

REMARKS

In response to the Examiner's restriction requirement, Applicants elect the invention of Group I, Claims 38-40, 42 and 49-53, with traverse. In response to the species requirement, Applicants elect the Rad53 FHA1 domain of SEQ ID NO: 19. All of claims 38 to 54 are readable onto this elected species.

Applicants respectfully request rejoinder of the restricted groups. Rule 13.1 PCT states: 'The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept'.

All the present claims fall within a single inventive concept (as evidenced by the presence of the same or a corresponding special technical feature) as defined by Rule 13 PCT.

Rule 13.2 PCT first sentence states:

'Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 PCT shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding technical features'.

Rule 13.2 PCT second sentence states:

'The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions considered as a whole, makes over the prior art'.

Thus, where there exists the same or a corresponding feature that defines the contribution made by the invention over the prior art as defined by Rule 13.2 PCT second sentence, there exists a single inventive concept that confers unity of invention under Rule 13.1 PCT.